

EXHIBIT “1”

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

JOE ANDREW SALAZAR,	§
	§
Plaintiff,	§
	§
vs.	§ Civil Action No. 2:16-cv-01096-JRG-RSP
	§
HTC CORPORATION,	§ JURY TRIAL DEMANDED
	§
Defendant.	§

DECLARATION OF CHRISTOPHER BYLER

I, Christopher Byler, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. My name is Christopher Byler and I am over 21 years of age. I reside at 5830 Coyote Flats Street, Las Cruces, New Mexico, 88012. I am a software engineer working under the direction and supervision of Roy A. Griffin, III, who is retained by the law firm of Meredith & Keyhani, PLLC in connection with its representation of Joe Andrew Salazar (“Plaintiff” or “Salazar”), as an expert witness in the above captioned action. I have signed the “Undertaking of Experts or Consultants Regarding Protective Order” acknowledgment entered by the Court in this case.

2. I received a B.S. in Electrical Engineering from University of Texas at Dallas in 2010. I have worked as a software engineer since 2011 and as a consultant. In my capacity as a consultant, I perform professional code review. For example, I performed code reviewing for the

GeoTag patent court case for patent number 5,930,474 which was brought against hundreds of defendants. As a software engineer, I was responsible for writing components, systems, and algorithms that generate UI graphics. I have developed applications ranging from mobile applications to enterprise applications that aided in streamlining development processes. I have created native web and mobile applications with cross platform capabilities utilizing a wide variety of development languages.

3. I have personally made numerous trips to HTC's counsel's office on October 12-13, 2017, October 23-26, 2017 and October 30, 2017 to inspect all source code, applications, and other files produced by HTC. On my first visit to HTC's counsel's office I reviewed a large volume of source code, applications, and other files produced by HTC, which were not clearly labeled with the accused product names and contained hundreds of thousands of files. HTC's production contained only one set of SDK code that provided the functional interface between the IR transceivers in the accused devices and the relevant applications (the Sense TV application and the Peel application) at issue. I located this source code in a C++ file along with some minor interfacing files for the discovered C++ code.

4. On a subsequent visit to HTC's counsel's office, HTC produced files labeled for each of the HTC One M7, One M8, and One M9, which HTC references in Exhibit 1 of its Reply in Support of HTC Corporation's Motion to Strike the Declaration of Roy A. Griffin III (Dkt. No. 222-1). I reviewed the contents of these files and none of them contained the relevant SDK code.

Executed in Dallas, Texas on April 13, 2017.

By: 
Christopher Byler